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July 12, 2012

Honorable Carol B. Amon
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Antwon Tanner
09-CR87 (CBA)

Dear Judge Amon:

Antwon Tanner is scheduled to complete his supervised release on July 31, 2012. He has successfully completed all the requirements of his sentence except for five (5) months monitored home detention, as directed by United States Probation.

As you recall, on August 10, 2010, the court granted Mr. Tanner's application to amend the judgment to permit him to continue his employment in North Carolina. Mr. Tanner is an actor and is appearing in the production "One Tree Hill". Filming of the show occurs at a studio in Wilmington, North Carolina. Mr. Tanner is a California resident. There were three (3) week intervals in which the filming of the show did not occur. During this period, Mr. Tanner would return to California to complete the home detention. He was informed by his probation officer that his detention must be continuous and without any breaks.

I spoke with Mr. Tanner's probation officer, Jose Sanchez, who advised me his agency policy for the monitoring service for home detention, in the Central District of California, must be continuous. In addition, United States Probation, in the State of California will permit a defendant on home detention to continue his employment, provided it is within 100 miles of the home.

Mr. Sanchez submitted a letter to the United State Probation in the Eastern District of New York, in January, 2012, requesting the remainder of Mr. Tanner's sentence, home detention, be suspended and in lieu of such service, be substituted by community service hours. Mr. Sanchez recommendation was returned to him with instructions that Mr. Tanner's attorney should make the request to the court. It appears Mr. Sanchez' recommendation was consistent with the court's order. Mr. Tanner completed community service during the period he returned to California, and has accumulated in excess of 1300 hours. The community service hours was verified by his present probation officer, Mr. Sanchez.

As of this writing, Mr. Tanner employment in North Carolina, will end on July 31, 2012. He will begin working on another show commencing August 1, 2012. The filming of this show will occur outside the State of California, in Wilmington, North Carolina and Jackson, Mississippi. It appears Mr. Tanner has to stop working completely to comply with the court's requirement of five (5) months monitored home detention, given the restriction and policy in the Central District of California. His unemployment will present a financial hardship to him and his family, since he is the sole financial support to his wife and children.

I am, therefore, seeking an amendment of Mr. Tanner's sentencing to except his community service in lieu of the home confinement, given the limitations he is facing by his continued employment. I have spoken Assistant United States Attorney, Matthew S. Amatruda, advising him of my request.

No previous application was made for the relief herein requested.

Respectfully,

Gregory S. Watts

cc: Antwon Tanner
Jose Sanchez
United States Probation Officer
file.